

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

PRESTON BROADWAY, individually and
on behalf and all others similarly situated,

Plaintiff,

V.

KIA AMERICA, INC., HYUNDAI MOTOR
AMERICA, and HYUNDAI KIA AMERICA
TECHNICAL CENTER, INC,

Defendants.

Case No. 0:22-cv-02511

Hon. John R. Tunheim

JOINT STIPULATION TO EXTEND TIME

Plaintiff Preston Broadway (“Plaintiff”) and Defendants Kia America, Inc., Hyundai Motor America, and Hyundai America Technical Center, Inc. (collectively, “Defendants”) (together with Plaintiff, the “Parties”), by and through their respective counsel, hereby agree to the following with reference to the following facts:

1. Plaintiff filed his complaint on or around October 11, 2022. The complaint was served on Defendant Kia America, Inc. (“Kia”) on or around October 13, 2022, and Kia’s current deadline to respond to the complaint is November 3, 2022.

2. On or around August 31, 2022, plaintiffs in an action entitled *McNerney v. Kia America, Inc.*, No. 8:22-cv-01548 (C.D. Cal. Aug. 19, 2022), moved the U.S. Judicial Panel on Multidistrict Litigation (the “Panel”) for an order transferring and consolidating certain related actions, including this action (“Related Actions”). That motion is currently pending before the Panel in MDL No. 3052, and a hearing is scheduled for December 1, 2022.

3. As of the date of this filing, there are forty (40) Related Actions pending in twenty-one (21) district courts across the United States: the Central District of California, the District of Colorado, the Middle District of Florida, the Northern District of Georgia, the Northern District of

Illinois, the Northern District of Indiana, the Southern District of Iowa, the District of Kansas, the Eastern District of Kentucky, the Eastern District of Louisiana, the Eastern District of Michigan, the District of Minnesota, the Western District of Missouri, the District of Nebraska, the Southern District of New York, the Northern District of Ohio, the Southern District of Ohio, the Eastern District of Pennsylvania, the Western District of Tennessee, the Southern District of Texas, and the Eastern District of Wisconsin. All parties agree that the Related Actions should be centralized.

4. As of the date of this filing, nineteen (19) Related Actions in the Central District of California, the District of Colorado, the Middle District of Florida, the Southern District of Iowa, the District of Kansas, the Eastern District of Kentucky, the Northern District of Ohio, the District of Minnesota, and the Western District of Missouri have been granted stipulations to extend the time for Defendants to respond to December 20, 2022—after the December 1, 2022 hearing date before the Panel. Several plaintiff’s counsel in additional Related Actions have also agreed to stipulate to this date.

5. In light of the foregoing, including given the pending motion to transfer and December 1, 2022 hearing date before the Panel, the Parties have agreed to set Defendants’ deadline to file a responsive pleading as December 20, 2022. The Parties have agreed that this timing is reasonable, serves the interest of judicial economy, would reduce fees and costs to the Parties, and would reduce the burden on the Court and its staff.

NOW, THEREFORE, the Parties hereby STIPULATE and AGREE as follows:

1. Defendants’ deadline to file their responsive pleadings shall be and is December 20, 2022.

IT IS SO STIPULATED AND AGREED.

Dated: November 1, 2022

Respectfully submitted,

/s/ David A. Goodwin

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Dated: November 1, 2022

Respectfully submitted,

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